

23Nov11

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Jean-Claude HEITZLER, Christian MULLER and
Serial no. : Jean-Louis DUPIN
Confirmation No. : 10/583,912
Filed : with an effective filing date of December 22, 2004
For : HEAT EXCHANGER
Group Art Unit : 3785
Examiner : Ljiljana V. CIRIC
Docket : NITROF P66AUS (amp)

The Commissioner for Patents
U.S. Patent & Trademark Office
P. O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR REFUND

Dear Sir:

The deposit account of the undersigned (Deposit Account No. 04-0213) was charged \$150.00 as fee code 1251 on October 27, 2011 as PTO Control No. 1, see attached copy thereof, for alleged fee deficiencies relating to the above-referenced application, i.e., a one month extension of time. It is believed that this charge to our deposit account is in error for the following reason.

First of all, it is to be noted that the Applicant is entitled to **small** entity status. In view of such claimed status, the Applicant respectfully submits that any one-month extension of term should be charged on the small entity basis, i.e., only \$75, instead of on the large entity basis, i.e., \$150. Moreover, as a response to the August 30, 2011 office action was timely filed on September 23, 2011—within the allocated one month—it is respectfully submitted that no extension of time was necessary in connection with that response. On October 26, 2011, the Applicant merely resubmitted all of the drawings to provide a complete set of drawings for this case. Accordingly, a refund of the charge amount, namely, \$150, is now believed to be in order. Please either credit \$150 (or \$75 at the very least) to the below listed Deposit Account or mail the undersigned a check refunding the charged amount. In the event that the Patent Office disagrees with the above, it is respectfully requested that the Patent Office forward to the undersigned a formal explanation of why a refund is not proper in this instance.

In the event that there are any fee deficiencies or additional fees are payable, please charge the same or credit any overpayment to our Deposit Account (Account No. 04-0213).

Respectfully submitted,


Michael J. Bujold, Reg. No. 32,018
Customer No. 020210
Davis & Bujold, P.L.L.C.
112 Pleasant Street
Concord, NH 03301-2931
Telephone 603-226-7490
Facsimile 603-226-7499
E-mail: patent@davisandbujold.com

11/14/11
Accrual Basis

DAVIS & DUJOIN, P.L.L.C.
Unbilled Costs by Job
January through December 2011

Deposit Account	Control #	Date	Fee Code	Description	Billing Status	Amount
ZF FRIEDRICHSHAFEN AG	P36AUS 3	06/20/2011	1464	Petitions requiring the petition fee set forth in 37 CFR 1.17(h) (Group III)	Unbilled	130.00
ZF FRIEDRICHSHAFEN AG	P103US 4	09/27/2011	1251	Extension for response within first month	Unbilled	130.00
ZF FRIEDRICHSHAFEN AG	P412US 1	09/09/2011	1617	Search fee, examination fee or oath or declaration after thirty months from priority	Unbilled	130.00
ZF FRIEDRICHSHAFEN AG	P414US 14	03/11/2011	1617	Search fee, examination fee or oath or	Unbilled	130.00
ZF FRIEDRICHSHAFEN AG	P626US 45	10/28/2011	1053	Non-English Specification	Unbilled	130.00
ZF FRIEDRICHSHAFEN AG	P636US 51	10/28/2011	1053	Non-English Specification	Unbilled	130.00
ZF FRIEDRICHSHAFEN AG	P639US 50	10/28/2011	1053	Non-English Specification	Unbilled	130.00
ZFLEMF - ZF Boge Elestmetal	P26AUS 10	10/17/2011	1617	Search fee, examination fee or oath or declaration after thirty months from priority	Unbilled	130.00
THOLAC	P53AUS 1418	10/07/2011	8007	Copy of patent application as filed	Unbilled	20.00
NITROF	P66AUS 1	06/04/1983	1251	Extension for response within first month	Unbilled	150.00
THOLAM	P386US	11/09/2011		Extension for response within first month	Unbilled	150.00
						1,360.00

16/27/11